



GP/3721

Docket No. JJM-381

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

#9

Applicants : Watt et al.  
Serial No. : 09/164,793 Art Unit: 3721  
Filed : October 1, 1998 Examiner: Gary Jackson  
For : BIOPOLYMER SPONGE TUBES, SURGICAL STAPLERS AND  
METHODS OF USE THEREOF

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
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September 7, 2000

(Date of Deposit)

Theodore J. Shatynski

(Name of applicant, assignee, or Registered Representative)

*Theodore J. Shatynski*

(Signature)

September 7, 2000

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Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in



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§1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with §1.97(e) is set forth below; or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$240.00 as set forth in §1.17(p).

☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

☒ Certification in Accordance with §1.97(e) is set forth below; or

☐ Please charge Deposit Account No. 10-0750/JJM-381/TJS the fee of \$240.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Certification in Accordance with §1.97(e) as set forth below and the fee of \$130.00 as set forth in §1.17(i)(1).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:



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- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:
- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☒ There are no listed references which are not in the English language.



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Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JIM-381/TJS. This form is submitted in triplicate.

Respectfully submitted,

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Theodore J. Shatynski  
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DATED: September 7, 2000

**CERTIFICATION UNDER 37 C.F.R. §1.97(e)**

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

☒ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in connection with a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

*Theodore J. Shatynski*  
Theodore J. Shatynski  
Reg. No. 36,676  
Attorney for Applicants

Form PTO-1449

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**


Docket No.

JJM-381

Serial No.

09/164,793

Applicant

Watt et al.

Filing Date

October 1, 1998

Group Art Unit

3721

## U.S. PATENT DOCUMENTS

Exam'r Init.	Document No.	Date	Name	Class	Sub Class	File Date
	4,184,120	3/21/89	Huc et al.			
	5,292,802	3/8/94	Rhee et al.			

## FOREIGN PATENT DOCUMENTS

Exam'r Init.	Document No.	Date	Country	Class	Sub Class	Translate (select one) Yes No	
	WO 96/07356	3/14/96	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	EP 0 033 548	8/12/81	EPO			<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

OTHER REFERENCES (include author, title, date, pertinent pages, etc.)

	European Search Report, Application Number EP 98 30 8041, Date of Completion of Search - August 17, 2000
	Mitchel, J.F., Azrin, M.A., Fram, D.B., McKay, R.G.,: "Novel Collagen vascular plug for femoral arteriotomy sealing; acute and chronic in vivo studies", Journal of Interventional Cardiology, vol. 9, no. 1, February 1,, 1996, pages 25-33, XP000900433

Examiner:

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.